

REMARKS/ARGUMENTS

In response to the Examiner's final Office Action of May 31, 2007, the Applicant respectfully submits the accompanying Amendment of the claims and the below Remarks.

Regarding Amendment

In the Amendment:

independent claim 1 is amended to omit the recitation of the printhead being supplied with ink through tubes; and

dependent claims 2-4, 9, 21-30 and 45 are unchanged.

It is respectfully submitted that the Amendment does not add any new matter to the present application, nor any new issues to the prosecution of the present application.

Regarding Priority

Regarding Copendency

The Examiner contends that the parent Application No. 10/160,273 and the grandparent Application No. 09/112,767, were never copending, and therefore asserts the present application cannot claim benefit of the grandparent application's filing date. The Applicant respectfully disagrees for the following reasons:

The Examiner bases the contention on the issue fee payment date in the grandparent application, i.e., February 4, 2002, being before the filing date of the parent application, i.e., June 4, 2002. However, the Examiner is respectfully reminded that copendency is not determined by the date of issue fee payment in the prior application, but by the date of patenting of the prior application. MPEP §201.11 II. B. clearly states that

“the later-filed application may be filed under 37 CFR 1.53(b) while the prior application is still pending before the examiner, or is in issue, or even between the time the issue fee is paid and the patent issues”.

Regarding Support

The Examiner also contends that the subject matter of “the printhead being supplied with a number of different inks which are remote from the printhead and which supply the printhead through tubes” recited in pending independent claim 1 is not supported by the description of the parent Application No. 10/160,273.

As discussed above, independent claim 1 has been amended to omit “and which supply the printhead through tubes” from this recitation. With respect to the remaining recitation of “the printhead being supplied with a number of different inks which are remote from the printhead”, it is respectfully submitted that adequate support for this remaining recitation can be found, for example, at paragraphs [0012]-[0015], [0042], [0045], [0059], [0060] and [0084] of Publication No. US 2003/0090542 of the parent application (and the corresponding description of the grandparent application).

Regarding 35 USC 102(b) and 103(a) Rejections

Based on the above and previously filed arguments, the Examiner is respectfully requested to withdraw the anticipation and obviousness rejections of claims 1-4, 9, 21-30 and 45 over previously cited Silverbrook and Martin.

It is respectfully submitted that the Examiner's rejections have been traversed. Accordingly, it is submitted that the present application is in condition for allowance and reconsideration of the present application is respectfully requested.

Very respectfully,

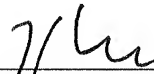
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